

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:
Inland Environmental and Remediation,
Inc.

§
§
§

Case No. 16-34624
(Chapter 11)

MOTION FOR RELIEF FROM THE STAY REGARDING NON-EXEMPT PROPERTY

THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF FROM THE AUTOMATIC STAY, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT WITHIN SEVEN (7) DAYS OF THE DATE THIS WAS MAILED TO YOU AND YOU MUST ATTEND THE HEARING.

THE COPY SENT TO THE MOVANT MUST BE DELIVERED BY HAND OR ELECTRONIC DELIVERY IF IT IS SENT LESS THAN SEVEN (7) DAYS PRIOR TO THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE HEARING MAY BE AN EVIDENTIARY HEARING AND THE COURT MAY GRANT OR DENY RELIEF FROM THE STAY BASED ON THE EVIDENCE PRESENTED AT THIS HEARING. IF A TIMELY OBJECTION IS FILED, THE COURT WILL CONDUCT A HEARING ON THIS MOTION ON 01/10/2017 at 9:30 AM IN COURTROOM 600, 6TH FLOOR.

1. This motion requests an order from the Bankruptcy Court authorizing the person filing this motion to foreclose on or to repossess the property that is identified in paragraph 3.
2. Movant: BB&T/CSC Logic.
3. Movant, directly or as agent for the holder, holds a security interest in a 2014 Ford F150, VIN #1FTFW1R66EFB84855.
4. Movant has reviewed the schedules filed in this case. The property described in paragraph 3 is not claimed as exempt by the debtor.
5. Type of collateral (e.g., Home, Manufactured Home, Car, Truck, Motorcycle): Car.
6. Debtor's scheduled value of property: \$42,027.03.
7. Movant's estimated value of property: \$49,650.00.
8. Total amount owed to movant: \$42,027.03.
9. Estimated equity (paragraph 7 minus paragraph 8): \$7,622.97.
10. Total pre and post-petition arrearages: \$2,572.72.
11. Total post-petition arrearages: \$2,572.72.
12. Amount of unpaid, past due property taxes, if applicable: \$ n/a.
13. Expiration date on insurance policy, if applicable: n/a.

**MOTION FOR RELIEF FROM THE STAY (AND CO-DEBTOR
STAY, IF APPLICABLE) REGARDING EXEMPT PROPERTY**
2852650 v1-99999/1262 CLIENTDOCS

14. Movant seeks relief based on the debtor's failure to make payments. Debtor's payment history is attached as exhibit "A." Movant represents that the attached payment history is a current payment history reflecting all payments, advances, charges and credits from the beginning of the loan. Movant further represents that the payment history is self-explanatory or can be interpreted by application of coding information that is also attached. Movant acknowledges that the Court may prohibit the use of parole evidence to interpret a payment history that does not satisfy these representations.
15. Movant seeks relief based on the debtor's failure to provide a certificate of insurance reflecting insurance coverage as required under the debtor's pre-petition contracts.
16. Based on the foregoing, movant seeks termination of the automatic stay to allow movant to foreclose or repossess the debtor's property and seeks to recover its costs and attorneys' fees in an amount not to exceed the amount listed in paragraph 9.
17. Movant certifies that prior to filing this motion an attempt was made to confer with the Debtor's counsel either by telephone, by e-mail or by facsimile, by the following person on the following date and time: Attorney for Debtor on 12/13/2016 at 2:05 PM. An agreement could not be reached. If requested by debtor or debtor's counsel, a payment history in the form attached to this motion was provided at least two business days before this motion was filed.

Date: December 16, 2016

/s/ Sidney H. Scheinberg

Movant's counsel signature

Name: Sidney H. Scheinberg

State Bar No.: 17736620

S.D. Tex. Bar No.: 300602

Address: 1201 Elm Street, Suite 1700

Dallas, TX 75270

Telephone: (214)939-4501

Fax: (214)527-3116

E-mail: SScheinberg@GodwinLaw.com

**CERTIFICATE OF SERVICE AND CERTIFICATE OF
COMPLIANCE WITH BLR 4001**

A copy of this motion was served on the persons shown on Exhibit "1" at the addresses reflected on that exhibit on December 16, 2016 by prepaid United States first class mail or via ECF Notification. Movant certifies that movant has complied with Bankruptcy Local Rule 4001.

/s/ Sidney H. Scheinberg

Movant's Counsel

EXHIBIT 1

Debtor – via first class mail
Inland Environmental and Remediation, Inc.
1022 Schultz Rd.
Columbus, TX 78934

Debtor's Attorney - via ECF Notification
Richard L. Fuqua
Fuqua & Associates, PC
5005 Riverway, Ste 250
Houston, TX 77056

US Trustee – via ECF Notification
Southern District of Texas
515 Rusk Ave, Ste 3516
Houston, TX 77002